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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,529	11/21/2000	Amy Hobbs Atzel	13415.1-US-01	1794
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AMY ATZEL 3116 12TH AVE S. UNIT 207 MINNEAPOLIS, MN 55407			EXAMINER LEWIS, CHERYL RENE A	
			ART UNIT	PAPER NUMBER
			2167	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/06/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/717,529	Applicant(s) ATZEL, AMY HOBBS	
	Examiner Cheryl Lewis	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the applicant's amendment received on January 3, 2007
2. Claims 1-47 are presented for examination.
3. The applicant has amended claims 1-5, 9-12, 22, 23, 25, 35, 36, and 38.
4. Applicants' arguments with respect to claims 1-74 have been fully considered but they are not deemed to be persuasive.

Response to Arguments

5. The applicant has amended independent claims 1, 9, 22, and 35, as well as dependent claims 2-5, 10-12, 23, 25, 36, and 38. The amendment to independent claim 1 includes "a text request string comprising unique identifiers"; "the unique identifiers uniquely identify electronic files"; "the text request string to identify the unique identifiers in the string, wherein identifying includes matching based on selected criteria"; and "identifiers, wherein the files identified by the unique identifiers are delivered to a user." Likewise, similar claim amendments appear in the claim limitations of independent claims 9, 22, and 35.

Therefore, the examiner's remarks and the present office action will address the claim limitations as they are currently amended. The examiner has taken the applicant's remarks and amendment to the claim limitations into careful consideration.

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However, upon careful consideration of the Snyder reference, the examiner has concluded that the Snyder reference teaches the limitations of claims 1-47.

a. The applicant's arguments recite the following:

"the Examiner has not pointed out what element in the Snyder reference corresponds to the instantly claimed "unique identifiers." Since unique identifiers are a central aspect of the invention, every claim in the instant application recites the phrase "unique identifiers.", page 10, paragraph 3

On page 10, paragraph 4, the applicant presents a summarized version of the Snyder reference. The applicant's summary of Snyder relates to Snyder's method of a "patent query."

a1. The examiner respectfully disagrees with the applicant's arguments. Snyder teaches the claimed limitations for "unique identifiers" are identified as a text string. The entered "text string" is descriptive of text which identifies patents that are searched for within the patent database. The amended claim limitation recites "unique identifiers". Again, the "unique identifiers" of Snyder is a text string. Microsoft's Computing dictionary defines a text string as **"a data structure composed of a sequence of characters"**. Therefore, the text string taught by Snyder consist of a sequence of characters.

b. The applicant's arguments recite the following:

"Snyder's software could not handle the entry of more than one patent number for the same reason: it compares a single patent to a dataset..."

"The instant claim, however, recite a request comprising plural "unique identifiers.", page 11, paragraph 2

b1. The examiner respectfully disagrees with the applicant's arguments. On page 11, paragraphs 2 and 3, the applicant again presents a summarized version of the

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Snyder reference in which Snyder uses a "patent query" search method. But, the claims have been amended to recite "unique identifiers". Therefore, the examiner's remarks will address unique identifiers as the claim limitations have currently been amended. As stated in the examiner's rebuttal, presented above in paragraph a1, Snyder teaches a text string represents the claimed unique identifiers. Snyder teaches a "concept query". The concept query enables a user to enter a text string. The text string entered for the concept query as depicted in FIG. 9B is **"apparatus for connecting a gas pressure source to several beer kegs in series"**. This text string entered in the concept query describes the patents that are searched for in the patents database and the results of finding matches to the entered query. Again, the entered text string comprises a request having plural identifiers that identify a plurality of patents. The system returns the results of the patents that match the entered text string by indicating the number of hits or findings of words or phrases within the text string query that are found within any of the patents currently being searched. The hits or relevance of conducting a search based on the entered text string for the concept query is depicted in FIG. 9D col. 23, lines 7-12, col. 25, lines 54-56 and 60-67, col. 26, lines 1-21).

c. The applicant's arguments recite the following:

"Because of this, Snyder's patent query does not anticipate "electronic files identified by the unique identifiers." Page 12, paragraph 1

c1. The examiner respectfully disagrees with the applicant's arguments. As stated in the examiner's rebuttal presented in paragraph b1, the unique identifiers are the text string. The unique identifiers are the text string entered in the concept query of

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Snyder's system. The text string is identified by the electronic files which are patents identified in the system of Snyder (see figure 9D, col. 23, lines 7-12, col. 25, lines 54-56 and 60-67, col. 26, lines 1-21). The results of conducting a concept query consists of retrieving patents that are electronic files.

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

d. The applicant's arguments recite the following:

"...unique identifiers which identify electronic files are the unique identifiers "6211568", "6673321"..."

In the above recited arguments, the applicants provide a summary of the electronic files as the electronic files are identified in the applicant's specification.

The applicant's arguments also recite:

"Snyder does not disclose nor contemplate a patent query employing "unique identifiers and data" nor "unique identifiers and text"...", page 12, paragraph 3

d1. The examiner respectfully disagrees with the applicant's arguments. The examiner's arguments for the support of "unique identifiers" and the teaching of Snyder comprising the claimed "unique identifiers" has been addressed in paragraphs b1 and c1 above. At this point, the examiner will address the claim limitation for "data" and unformatted text".

]Snyder teaches the concept query enables entering a text string. The text string entered into the concept query contains unique identifies and "unformatted text" and/or "data". Take into consideration the text string entered into the concept query in FIG. 9B. The text string consists of **"apparatus for connecting a gas pressure source to**

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several beer kegs in series” for generating a concept query to generate results of patents that match this query. The entered text string comprises keyboard characters representing words, sentences, or punctuation. FIG. 9C shows the relevance and/or hits that match the patents of the unique identifiers comprised within the entered text string. The “unformatted text” and/or “data” identified in the entered text string of FIG. 9B is “apparatus”, “for”, “a”, “to”, and “in”. These words or characters are the “unformatted text” and/or “data” within the text string because the concept query of FIG. 9C has not provided given any relevancy or hits to these words or characters as they apply to the searched patents. The only hits and/or relevancy of the unique identifiers of the text string entered into the concept query is given to “connect”, “gas pressure source”, “gas pressure”, “gas”, “pressure source”, “pressure”, “source”, “beer keg”, “beer”, “keg”, and “series” (col. 25, lines 60-67, col. 26, lines 1-32).

e. The applicant's arguments recite the following:

“Snyder's software does not handle patent queries containing any additional data or data including unformatted text, such as email message.” Page 12, paragraph 3

“Snyder cannot accommodate an entire email message as a user request in box 1002 of FIG.10A.”, page 13, paragraph 2

e1. The examiner respectfully disagrees with the applicant's arguments. The applicant's are arguing the merits of the Snyder reference not comprising the teachings of an email message. The applicant is correct Snyder does not teach the capability to comprise an email message. Also, the claim limitations do not comprise any claim limitations that would suggest that claims 1-47 comprise the capability of an email message. The claim limitations themselves do not lend support for an email message.

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If it is the intention of the applicant to rely on a method of teaching the capability of an email message, then the examiner would kindly suggest that the applicant should amend the claims to teach an email message. The claims only recite "receiving a text request string comprising unique identifiers and unformatted text". Again, there is nothing in the claims to suggest the support of an email message.

f. The applicants arguments recite the following:

"...the parser identifies unique identifiers by matching based on selected criteria...", page 13, paragraph 2

f1. The examiner respectfully disagrees with the applicant's arguments.

Snyder teaches "claim parsing according to a specific embodiment." Snyder teaches parsing claims as these claims relate to claims from identified and/or searched patents. The claims of the searched patents are identified according to an input query consisting of a text string (col. 21, lines 30-67). The parsing identifies the claims as unique identifiers comprised within a text string by matching the text string to retrieved patents (electronic files) that satisfy the criteria of patents that retrieved and matched according to the inputted query text string.

g. The applicant's arguments recite the following:

"...Snyder does not teach "querying a user to order the files identified...user for delivery method...", page 13, paragraph 3

g1. The examiner respectfully disagrees with the applicant's arguments.

Snyder teaches the user orders the files via the "concept query", within the concept query the user enters a text request, the text request comprises the claimed unique identifiers that are a sequence of characters which identifies the match for the query to satisfy the query generated by the concept query. The result of producing a match for

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the concept query and/or the user entered files is returned to the user via an interface window that display the results of the query. The electronic files are displayed in figure 9D.

e. The applicant's arguments recite the following:

"...Snyder does not teach receiving a browser window..."

e1. The examiner respectfully disagrees with the applicant's arguments.

Snyder teaches a browser window in figure 1B, element 35a. Snyder's method is implemented by the world wide web. In this method the server and client contain browser applications in which they communicate with one another within the internet environment.

Lisewise, the parsing step has been addressed in paragraph f1 above.

The consumer products requested by the consumer are the electronic patent files that are requested based on an electronic search. Finally, Snyder teaches an image via using graphical and textual visualization (col. 4, lines 5-8, col. 23, lines 3-10).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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7. Claims 1-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Snyder et al. (Pat. No. 6,038,561 filed September 15, 1997, priority to provisional application no. 60/028,437 filed October 15, 1996, hereinafter Snyder).

8. Regarding Claims 1, 9, 22, and 35, Snyder teaches a management and analysis of document information text.

The method and associated system for a management and analysis of document information text as taught or suggested by Snyder includes:

receiving a text request string comprising a unique identifiers and unformatted text (figures 9B-11A, col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55), wherein the unique identifiers uniquely identify electronic files (figures 9B-11A, col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55); parsing the text request string to identify the unique identifiers in the string (col. 21, lines 30-67, col. 22, lines 1-19) wherein identifying includes matching based on selected criteria (figures 9B-11A, col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55); and requesting the electronic file identified by the unique identifier (col. 27, lines 13-55).

9. Regarding Claims 2, 10, 23, and 36, Snyder teaches providing the unique identifiers to a user for selection of one or more of the unique identifiers (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55); and querying the user to order the file identified by the selected unique identifiers (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

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10. Regarding Claims 3, 11, 24, and 37, Snyder teaches querying a user for delivery of a file identified by the selected unique identifiers identifies (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

11. Regarding Claims 4, 12, 25, and 38, Snyder teaches files identified by the selected unique identifiers are delivered as a bundle (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

12. Regarding Claims 5, 13, 26, 39, Snyder teaches receiving in a browser window a text request selected from another window (figure 1B, col. 11, lines 1-20).

13. Regarding Claims 6, 17, 30, 43, Snyder teaches the file is selected from a group consisting document files identifiers (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

14. Regarding Claims 7, 18, 31, 44, Snyder teaches the parsing step is executed by a client computer identifies (col. 21, lines 30-67, col. 22, lines 1-19, col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

15. Regarding Claims 8, 19, 32, 45, Snyder teaches the parsing step is executed by a server computer (col. 21, lines 30-67, col. 22, lines 1-19, col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

16. Regarding Claims 14, 27, 40, Snyder teaches the item is an electronic file (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

17. Regarding Claims 15, 28, 41, Snyder teaches the item is a consumer product (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

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18. Regarding Claims 16, 29, 42, Snyder teaches the item is a service col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

19. Regarding Claims 20, 33, 46, Snyder teaches the request comprises text col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

20. Regarding Claims 21, 34, 47, Snyder teaches the request comprises an image and the parsing step comprises the step of matching the image to a unique image (col. 4, lines 5-8, col. 23, lines 3-10, figure 9E, element 952).

Conclusion

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

NAME OF CONTACT

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

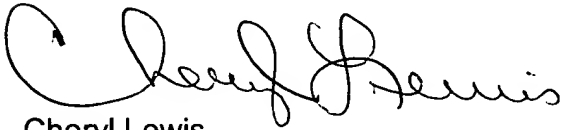
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Cheryl Lewis". The signature is fluid and cursive, with a large initial "C" and "L".

Cheryl Lewis
Patent Examiner
March 31, 2007